

**United States District Court**

for the

**Eastern District of Washington**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**Apr 13, 2021**

SEAN F. McAVOY, CLERK

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Kelly Gordon Dupuis Case Number: 0980 2:19CR00208-SAB-1

Address of Offende Spokane, Washington 99202

Name of Sentencing Judicial Officer: The Honorable Donald W. Molloy, U.S. District Judge  
Name of Supervising Judicial Officer: The Honorable Stanley A. Bastian, Chief U.S. District Judge

Date of Original Sentence: September 2, 2016

Original Offense: Possession with Intent to Distribute Methamphetamine, 21 U.S.C. § 841(a)(1)

Original Sentence: Prison - 60 months Type of Supervision: Supervised Release  
TSR - 60 months

Asst. U.S. Attorney: David Michael Herzog Date Supervision Commenced: June 27, 2019

Defense Attorney: Katherine Westerman Date Supervision Expires: June 26, 2024

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**PETITIONING THE COURT**To issue a **warrant**.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number      Nature of Noncompliance

1      **Mandatory Condition #3:** The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

**Supporting Evidence:** It is alleged Mr. Dupuis violated his terms of supervised release by using methamphetamine on April 10, 2021.

On June 27, 2019, the undersigned and Mr. Dupuis reviewed his conditions of supervision. He signed his judgment acknowledging an understanding of his conditions of supervision.

At the direction of the undersigned officer, Mr. Dupuis reported to the probation office on April 12, 2021, to submit to urinalysis testing. The undersigned officer observed what appeared to be a deception device being used by Mr. Dupuis in an attempt to pass his urinalysis test. The undersigned officer directed Mr. Dupuis to remove the deception device, in which he initially denied being in possession of, and tried to hide it from the undersigned officer. After further directive, Mr. Dupuis surrendered the deception device. He admitted to the undersigned officer that he used methamphetamine on April 10, 2021, and signed a drug use admission form.

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**Mandatory Condition #3:** The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

**Supporting Evidence:** It is alleged Mr. Dupuis violated his terms of supervised release by using morphine on April 12, 2021.

On June 27, 2019, the undersigned and Mr. Dupuis reviewed his conditions of supervision. He signed his judgment acknowledging an understanding of his conditions of supervision.

At the direction of the undersigned officer, Mr. Dupuis reported to the probation office on April 12, 2021, to submit to urinalysis testing. The undersigned officer observed what appeared to be a deception device being used by Mr. Dupuis in an attempt to pass his urinalysis test. The undersigned officer directed Mr. Dupuis to remove the deception device, in which he initially denied being in possession of and tried to hide it from the undersigned officer. After further directive, Mr. Dupuis surrendered the deception device. He admitted to the undersigned officer that he used morphine on April 12, 2021, and signed a drug use admission form.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the offender to appear to answer to the allegation(s) contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 04/13/2021

s/Corey M. McCain

Corey M. McCain  
U.S. Probation Officer

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## THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

4/13/2021

Date